

1 ..title

2 AN ORDINANCE relating to the keeping of dogs and cats
3 and other small animals, ensuring consistency between
4 Titles 11 and 21A, and amending standards and
5 requirements for licensing; amending Ordinance 1396, Art.
6 I Section 2, as amended, and K.C.C. 11.04.010, Ordinance
7 1396, Art. I Section 3, as amended, and K.C.C. 11.04.020,
8 Ordinance 1396, Art. II Section 2, as amended, and K.C.C.
9 11.04.040, Ordinance 1396, Art. II Section 3, as amended,
10 and K.C.C. 11.04.050, Ordinance 1396, Art. II Section 4, as
11 amended, and K.C.C. 11.04.060, Ordinance 1396, Art. II
12 Section 6, as amended, and K.C.C. 11.04.080, Ordinance
13 1396, Art. II Section 7, as amended, and K.C.C. 11.04.090,
14 Ordinance 1396, Art. II Section 11, as amended, and
15 K.C.C. 11.04.130, Ordinance 1396, Art. II Section 12, as
16 amended, and K.C.C. 11.04.140, Ordinance 1396, Art. II
17 Section 13, as amended, and K.C.C. 11.04.150, Ordinance
18 1396, Art. II Section 14, as amended, and K.C.C.
19 11.04.160, Ordinance 10809, Section 3, as amended, and
20 K.C.C. 11.04.165, Ordinance 10809, Section 4, as
21 amended, and K.C.C. 11.04.167, Ordinance 1396, Art. III
22 Section 3, and K.C.C. 11.04.190, Ordinance 1396, Art. III
23 Section 5, as amended, and K.C.C. 11.04.210, Ordinance
24 10423, Section 19, and K.C.C. 11.04.520, and Ordinance
25 10870, Section 530, as amended, and K.C.C. 21A.30.020,
26 repealing Ordinance 1396, Art. II Section 8, as amended,
27 and K.C.C. 11.04.100, Ordinance 1396, Art. II Section 9, as
28 amended, and K.C.C. 11.04.110, Ordinance 6370, Section
29 11, and K.C.C. 11.04.320, Ordinance 10423, Section 6, and
30 K.C.C. 11.04.500 and Ordinance 10423, Section 20, and
31 K.C.C. 11.04.530, adding a new section to K.C.C. chapter
32 11.04 and prescribing penalties.

33 ..body

34 PREAMBLE:

35
36 In 1995, the King County council adopted and implemented K.C.C. Title 21A
37 (zoning code) that included provisions regulating the keeping of animals at
38 residences as household pets. In 1998, the council adopted Ordinance 13148
39 (codified in K.C.C. 11.04.010B) to state its intent that the more recently adopted
40 and more flexible provisions of K.C.C. Title 21A would prevail over any
41 conflicting provisions of K.C.C. Title 11. King County council motion 11476
42 restated this policy.

43 This ordinance amends both K.C.C. Titles 11 and 21A to remove the conflicts.

The requirement for a hobby kennel license when the number of dogs or cats, or both exceeds three is retained in the animal control code as it ensures basic health and welfare for the animals and protects human health and safety by ensuring the maintenance of animals is compatible in the neighborhood. Maximum numbers of dogs or cats, or both, that can be maintained is retained in the zoning code. Definitions in K.C.C. Title 11 mirror those in K.C.C. Title 21A.

The activity of fostering, covered by the private animal placement permits, is an activity to be promoted and encouraged as it supports the overall goal of promoting pet adoptions and reducing animal euthanasia. Consequently, permit holders may exceed the maximum number of animals allowed by K.C.C. Title 21A, or allowed by K.C.C. Title 11 for contract cities that adopt the animal control code by reference, by five foster animals.

Housekeeping amendments to both K.C.C. Title 11 and K.C.C. Title 21A are included to update or ensure consistency within the titles, and K.C.C. 21A.30.020 is amended to be consistent with recent changes adopted by the council affecting kennels in the Agricultural zone.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1396, Art. I Section 2, as amended, and K.C.C. 11.04.010 are each hereby amended to read as follows:

Purpose ((and scope)). ~~((A.))~~ It is declared the public policy of the county to secure and maintain such levels of animal control as will protect human health and safety, increase pet identification, reduce the euthanasia of healthy, adoptable dogs or cats and, to the greatest degree practicable ~~((to)), prevent ((injury to property and))~~ cruelty to animal life. To this end, it is the purpose of this chapter to: provide a means of licensing dogs, cats ~~((, animal shelters, hobby kennels, kennels, and pet shops and controlling))~~ and animal-related businesses and activities as set forth in this chapter; control errant animal behavior so that it ~~((shall))~~ does not become a public nuisance; and ~~((to))~~ prevent cruelty to animals.

~~((B. If there is a conflict between a provision of this chapter and provision contained in Title 21A, the provision in Title 21A shall control.))~~

SECTION 2. Ordinance 1396, Art. I Section 3, as amended, and K.C.C. 11.04.020 are each hereby amended to read as follows:

Definitions. In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words ~~((used herein))~~ shall be given their common and ordinary meaning~~((;))~~. ~~((i))~~In addition, the following definitions ~~((shall))~~ apply:

A. "Abate" means to terminate a~~((ny))~~ violation by reasonable and lawful means determined by the manager or designee of the animal control authority ~~((in order))~~ so that an owner or a person presumed to be the owner ~~((shall comply))~~ complies with this chapter.

B. "Animal" means a~~((ny))~~ living creature except Homo sapiens, insects and worms.

1 C. "Animal control authority" means the county animal control section of the
2 records, elections and licensing services division, acting alone or in concert with other
3 municipalities for enforcement of the animal control laws of the county and state and the
4 shelter and welfare of animals.

5 D. "Animal control officer" means an((y)) individual employed, contracted or
6 appointed by the animal control authority for the purpose of aiding in the enforcement of
7 this chapter or any other law or ordinance relating to the licensing of animals, control of
8 animals or seizure and impoundment of animals, and includes a((ny)) state or municipal
9 peace officer, sheriff, constable or other employee whose duties in whole or in part include
10 assignments that involve the seizure and taking into custody of an((y)) animal.

11 E. "Cattery" means a place where ((four or more)) adult cats are ((kept, whether
12 by owners of the cats or by persons providing facilities and care, whether or not))
13 temporarily boarded for compensation, ((but not including a pet shop)) whether or not for
14 training. An adult cat is one of either sex, altered or unaltered, that has reached the age of
15 six months.

16 F. "Director" means the director of the department of executive service and his or
17 her duly appointed representatives.

18 G. "Domesticated animal" means ((those)) a domestic beast((s)) such as a((ny))
19 dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, llama, sheep((;)) or hog, or
20 other animal made to be domestic.

21 ((G;)) H. "Euthanasia" means the humane destruction of an animal accomplished
22 by a method that involves instantaneous unconsciousness and immediate death or by a
23 method that causes painless loss of consciousness and death during the loss of
24 consciousness.

25 ((H;)) I. "Fostering" means ((obtaining unwanted dogs or cats and locating
26 adoptive homes for those licensed and spayed or neutered dogs or cats. Individuals who
27 wish to foster dogs and cats, and who through the activity shall routinely or from time to
28 time harbor, keep or maintain more dogs and cats than allowed in K.C.C. Title 21A, must
29 obtain either an individual or organizational private animal placement permit)) providing
30 temporary care for unwanted, owner-released dogs or cats, or both.

31 ((I;)) J. "Grooming service" means a((ny)) place or establishment, public or private,
32 where animals are bathed, clipped or combed for the purpose of enhancing ((either)) their
33 appearance, aesthetic value or health, ((or both;)) and for which a fee is charged.

34 ((J;)) K. "Harbored, kept or maintained" means performing any of the acts of
35 providing care, shelter, protection, refuge, food or nourishment in such a manner as to
36 control the animal's actions, or that the animal or animals are treated as living at one's
37 house by the homeowner.

38 ((K;)) "Hobby cattery" means a noncommercial cattery at or adjoining a private
39 residence where four or more adult cats are bred or kept for exhibition for organized shows
40 or for the enjoyment of the species. However, a combination hobby cattery/kennel license
41 may be issued where the total number of cats and dogs exceeds the number allowed in
42 K.C.C. Title 21A.))

1 L. "Hobby kennel" means a noncommercial kennel at or adjoining a private
2 residence where four or more adult dogs or cats, or both, are bred, harbored, ~~((or))~~ kept or
3 maintained as personal pets for ~~((any combination of hunting, training and exhibition for~~
4 ~~organized shows, field, working or obedience trials, or for))~~ the enjoyment of the species.
5 ~~((However, a combination hobby cattery/kennel license may be issued where the total~~
6 ~~number of cats and dogs exceeds the number allowed in K.C.C. Title 21A.~~

7 M. "Juvenile" means a ~~a((ny))~~ dog or cat, altered or unaltered, that is under the age
8 of six months. Juvenile dogs or cats that are not the offspring of female dogs or cats
9 approved for a hobby kennel are counted as adult dogs or cats for the purposes of
10 determining total numbers of dogs and cats allowed under this chapter.

11 N. "Kennel" means a place where ~~((four or more))~~ adult dogs are ~~((kept, whether~~
12 ~~by owners of the dogs or by persons providing facilities and care, whether or not))~~
13 temporarily boarded for compensation, ~~((but not including a pet shop))~~ whether or not for
14 training. An adult dog is one of either sex, altered or unaltered, that has reached the age of
15 six months.

16 O. "Livestock" has the same meaning as in K.C.C. 21A.06.695.

17 P. "Owner" means a ~~a((ny))~~ person having an interest in or right of possession to an
18 animal or a ~~a((ny))~~ person having control, custody or possession of an ~~a((y))~~ animal ~~((, or by~~
19 ~~reason of the animal being))~~. A person is presumed to be the owner if the animal is seen
20 residing consistently at a location~~((, shall be presumed to be the owner.))~~ owned or
21 controlled by the person.

22 Q. "Pack" means a group of two or more unrestrained or uncontrolled animals
23 running upon either public or private property not that of its owner in a state in which either
24 its control or ownership is in doubt or cannot readily be ascertained ~~((and when the animals~~
25 ~~are not restrained or controlled))~~.

26 R. "Person" means an ~~a((y))~~ individual, partnership, firm, joint stock company,
27 corporation, association, trust, estate or other legal entity.

28 S. "Pet" means a dog or cat or any other animal required to be licensed by this
29 chapter. "Dog," "cat" and "pet" may be used interchangeably.

30 T. "Pet shop" means a ~~a((ny))~~ person, establishment, store or department of a ~~a((ny))~~
31 store that acquires live animals, including birds, reptiles, fowl and fish, and sells, or offers
32 to sell or rent, the live animals to the public or to retail outlets.

33 U. "Private animal placement permit – individual" means a permit issued to a
34 person ~~((s))~~ engaged in the activity of fostering four or more adult dogs ~~((and))~~ or cats
35 ~~((who meet certain requirements to allow the persons to possess more dogs and cats than is~~
36 ~~specified in K.C.C. Title 21A. Persons holding an individual private animal placement~~
37 ~~permit and fostering dogs and cats must locate an adoptive home for a dog or cat within six~~
38 ~~months of acquisition of the dog or cat)), or both, or a person whose activity of fostering~~
39 causes them to exceed the maximum number of small animals allowed under K.C.C. Title
40 21A.

41 V. "Private animal placement permit – organizational" means a permit ~~((s))~~ issued
42 to an organization~~((s))~~ whose members are engaged in fostering four or more adult dogs

1 ~~((and)) or cats, ((the organizations having first met certain requirements. These~~
2 ~~organizations may distribute these permits to individuals who will foster the dogs and cats~~
3 ~~in their homes. The permits will allow the individuals to possess more dogs and cats than~~
4 ~~is specified in K.C.C. Title 21A. The organizations must be approved by the director, and~~
5 ~~their permit holders must locate an adoptive home for a dog or cat within six months of~~
6 ~~acquisition of the dog or cat)) or both, or a member whose activity of fostering causes them~~
7 ~~to exceed the maximum number of small animals allowed under K.C.C. Title 21A.~~

8 W. "Running at large" means to be off the premises of the owner and not under the
9 control of the owner or competent person authorized by the owner, either by leash, verbal
10 voice or signal control.

11 X. "Service animal" means a~~((ny))~~ guide dog, signal dog or other animal that is
12 individually trained or being trained ((to aid a person who is blind, hearing impaired or
13 otherwise disabled and is used for that purpose and is registered with a recognized service
14 animal organization)) to do work or perform tasks for the benefit of an individual with a
15 disability, including, but not limited to, guiding individuals with impaired vision, alerting
16 individuals with impaired hearing to intruders or sounds, providing minimal protection or
17 rescue work, pulling a wheelchair or fetching dropped items.

18 Y. "Shelter" means a facility that is owned, operated or maintained by a public
19 body used to house ((or contain)) stray, ((homeless,)) owner-released, impounded or
20 abandoned ((or unwanted)) animals ((and that is)), or a facility owned, operated or
21 maintained by ((a public body,)) an established humane society, animal welfare society,
22 society for the prevention of cruelty to animals or other nonprofit organization ((or
23 person devoted to the welfare, protection and humane treatment of animals)) that houses
24 or places, or both, owner-released animals.

25 Z. ~~((("Special hobby kennel license" means a license issued status to pet owners~~
26 ~~under certain conditions who do not meet the requirements for a Hobby Kennel License,~~
27 ~~to allow them to retain only those specific dogs and cats then in their possession until~~
28 ~~such time as the death or transfer of such animals reduces the number they possess to the~~
29 ~~legal limit set forth in the King County Zoning Code.~~

30 ~~AA.))~~ "Under control" means the animal is either under competent voice control
31 or competent signal control, or both, so as to be restrained from approaching a~~((ny))~~
32 bystander or other animal and from causing or being the cause of physical property
33 damage when off a leash or off the premises of the owner.

34 ~~((BB.))~~ AA. "Vicious" means ~~((the))~~ an act ((of)), or the propensity to do an((y))
35 act, endangering the safety of a((ny)) person, animal or property of another, including,
36 but not limited to, either or both biting a human being or attacking a human being or
37 domesticated animal without provocation.

38 SECTION 3. Ordinance 1396, Art. II Section 2, as amended, and K.C.C.
39 11.04.040 are each hereby amended to read as follows:

40 Animal shelter, kennel, hobby kennel, grooming service, cattery and pet shop
41 licenses – ((R))required. ((It is unlawful for any)) A person ((to)) shall not own,
42 operate, keep or maintain an((y)) animal shelter, kennel, cattery, hobby kennel, grooming
43 service or pet shop within King County without first obtaining a valid and subsisting

1 license ~~((therefor))~~. ~~((The))~~ All applicable fees, as provided in K.C.C. 11.04.035, shall be
2 assessed ~~((not upon individual animals but))~~ upon the owner or ~~((keeper))~~ operator of an
3 animal shelter, kennel, cattery, hobby kennel, grooming service or pet shop. In addition,
4 each dog or cat, except those boarded for less than thirty days by a licensed commercial
5 kennel or commercial cattery or groomed at a licensed grooming service, shall be
6 individually licensed under K.C.C. 11.04.030B. Each license and certificate of
7 inspection issued ~~((pursuant to))~~ under this chapter shall be conspicuously displayed at
8 the establishment to which ~~((such))~~ the license ~~((was))~~ is issued. ~~((The))~~ A new license
9 shall be dated and numbered and shall bear the name of King County, Washington,
10 ~~((and))~~ the name and address of the owner or ~~((keeper))~~ operator of the establishment~~((;))~~
11 and the expiration date of the license. The license ~~((shall run))~~ is valid for ~~((a period of))~~
12 one year from the date of ~~((purchase))~~ application. A license renewal retains its initial
13 expiration day and month.

14 SECTION 4. Ordinance 1396, Art. II Section 3, as amended, and K.C.C.
15 11.04.050 are each hereby amended to read as follows:

16 **Animal shelter, cattery, pet shop, grooming service and kennel licenses –**
17 **~~((I))~~information required.**

18 A. The applicant for an original animal shelter, cattery, pet shop, grooming
19 service~~((;))~~ or kennel license shall present to the animal control authority a written
20 statement from the county department of development and environmental services that
21 the establishment of the animal shelter, cattery, pet shop, grooming service or kennel at
22 the proposed site is not in violation of K.C.C. Title 21A, has a legal nonconforming
23 zoning status~~((;))~~ or a conditional use permit has been issued for the intended use.

24 B. Before an animal shelter, cattery, pet shop, grooming service or kennel license
25 may be issued by the animal control authority, a certificate of inspection from the Seattle-
26 King County health department or King County animal control section must be issued
27 showing that the animal shelter, cattery, pet shop, grooming service or kennel is in
28 compliance with K.C.C. 11.04.080~~((;))~~ and 11.04.090~~((, 11.04.100 and 11.04.110))~~.

29 SECTION 5. Ordinance 1396, Art. II Section 4, as amended, and K.C.C.
30 11.04.060 are each hereby amended to read as follows:

31 **Hobby kennel ~~((or hobby cattery))~~ – ~~((R))~~required license.**

32 A. ~~((LICENSE REQUIRED. It is unlawful for any))~~ A person ~~((to))~~ shall not
33 harbor, keep ~~((and))~~ or maintain ~~((any))~~ four or more adult dogs or cats, or a combination
34 of dogs and cats, within the county for the purposes of a hobby kennel ~~((or hobby~~
35 cattery)) without annually obtaining a valid and subsisting license ~~((therefor))~~. The fee
36 for ~~((such))~~ the annual license shall be assessed upon the owner or keeper of ~~((such))~~ the
37 animals and shall be as provided in K.C.C. 11.04.035. In addition, each animal harbored,
38 kept or maintained by a hobby kennel shall be licensed individually under ~~((provisions~~
39 ~~of))~~ K.C.C. 11.04.030B.

40 B. ~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Any))~~
41 For hobby kennels located in unincorporated King County, the hobby kennel license shall
42 limit the total number of dogs or cats, or both, as set forth in K.C.C. 21A.30.020.

1 C. For hobby kennels located in a contract city that adopts this section by
2 reference, a hobby kennel ((or hobby cattery)) license shall limit the total number of dogs
3 ((and)) or cats ((over six months of age)), or both, kept by ((such)) the hobby kennel ((or
4 hobby cattery)) based on the following guidelines:

5 1. Animal size;

6 2. Type and characteristics of the breed;

7 3. The amount of lot area(~~((; provided, that))~~, though: the maximum number
8 shall not exceed twenty-five where the lot area contains five acres or more; the maximum
9 number shall not exceed ten where the lot area contains thirty-five thousand square feet
10 but less than five acres; and the maximum number shall not exceed five where the lot
11 area is less than thirty-five thousand square feet;

12 4. The facility specifications(~~((/))~~ and dimensions in which the dogs and cats are
13 to be maintained; and

14 5. The zoning classification in which the hobby kennel ((or hobby cattery))
15 would be maintained.

16 ~~((C. REQUIREMENTS. Hobby kennels and hobby catteries.~~

17 ~~1. All open run areas shall be completely surrounded by a six foot fence set~~
18 ~~back at least twenty feet from all property lines; provided this requirement may be~~
19 ~~modified for hobby catteries as long as the open run area contains the cats and prohibits~~
20 ~~the entrance of children. For purposes of this section "Open run area" means that area,~~
21 ~~within the property lines of the premises on which the hobby kennel or hobby cattery is to~~
22 ~~be maintained, where the dogs and cats are sheltered or maintained. If there is no area set~~
23 ~~aside for sheltering or maintaining the dogs within the property lines of the premises the~~
24 ~~twenty foot setback does not apply. The property lines of premises not containing an~~
25 ~~open run area must be completely surrounded by a six foot fence;))~~

26 D.1.a. All dogs or cats, or both, kept in a hobby kennel shall be maintained in
27 such a manner as to confine them to the owner's property.

28 b. Any combination of kennel runs, cattery runs, structures or enclosures used
29 to house or confine dogs or cats, or both, either all or part of the time, shall be set back a
30 minimum of ten feet from the property line. If there is not an area set aside for sheltering
31 or maintaining the dogs or cats within the property lines of the premises all or part of the
32 time, the ten-foot setback does not apply.

33 c. An area used to confine dogs or cats, or both, shall be surrounded by a
34 physical barrier adequate to confine the animals to the owner's property.

35 2. ~~((No e))~~Commercial signs or other appearances advertising the hobby kennel
36 ((or hobby cattery)) are not permitted on the property except ((for the sale of the
37 allowable offspring set forth in this section;)) as authorized in K.C.C. Title 21A.

38 3. The director may require any combination of setback, additional setback from
39 that required in Title 21A, fencing, screening ((or)), soundproofing or other measures
40 as she or he deems necessary to ((insure)) ensure the compatibility of the hobby kennel ((or
41 hobby cattery)) with the surrounding neighborhood and to ensure the health and welfare

1 of the animals. Factors to be considered in determining ((such)) compatibility ((are)) and
2 animal health and welfare include, but are not limited to:

3 a. Statements ~~((regarding approval/disapproval))~~ of surrounding neighbors
4 ~~((relative to))~~ regarding the maintenance of a hobby kennel ((or hobby cattery)) at the
5 address applied for;

6 b. Past history of animal control complaints relating to the applicant's dogs
7 ~~((and))~~ or cats ((of the applicant)), or both, at the address for which the hobby kennel ~~((or~~
8 ~~hobby cattery))~~ is applied for;

9 c. Facility specifications~~((f))~~ and dimensions in which the dogs ~~((and))~~ or cats,
10 or both, are to be maintained;

11 d. Animal size, type and characteristics of breed; and

12 e. The zoning classification of the premises on which the hobby kennel ~~((or~~
13 ~~hobby cattery))~~ is maintained.

14 4. The hobby kennel ~~((or hobby cattery))~~ shall limit dog and cat reproduction to
15 no more than one litter per license year per female dog and ~~((two litters per license year~~
16 ~~per))~~ female cat~~((;))~~. Only litters from licensed female dogs or cats, or both, are allowed
17 on the premises. Only the licensed juvenile off-spring of licensed adult dogs or cats, or
18 both, allowed by the hobby kennel may be offered for sale.

19 5. Each dog and cat in the hobby kennel ~~((or hobby cattery))~~ shall have current
20 and proper immunization from disease according to the dog's and cat's species and age.
21 ~~((Such))~~ The immunization shall consist of DHLPP inoculation for dogs over three
22 months of age and FVRCP for cats over two months of age, ~~((and))~~ rabies inoculations
23 for all dogs and cats over ~~((six))~~ four months of age and any other immunization as
24 prescribed by the animal control authority.

25 6. Each dog or cat in a hobby kennel shall be handled and maintained in a safe,
26 humane and sanitary manner including, but not limited to, receiving suitable housing and
27 shelter, adequate food and water and adequate veterinary medical care.

28 ~~((D. LICENSE ISSUANCE AND MAINTENANCE.))~~ E. Only when the
29 director is satisfied that the requirements of ~~((K.C.C. 11.04.060 C.1. through 5.))~~ this
30 section have been met~~((;))~~ may a hobby kennel ~~((or hobby cattery))~~ license ~~((may))~~ be
31 issued. The license ~~((will))~~ continues in full force ~~((throughout))~~ through the license year
32 unless, at ~~((anytime))~~ any time, the hobby kennel ~~((or hobby cattery))~~ is maintained in
33 such a manner as to:

34 1. Exceed the number of dogs ~~((and))~~ or cats ~~((allowed at))~~, or both, authorized
35 by the hobby kennel ((by the animal control section)) license; or((;))

36 2. Fail to comply with ~~((any of the requirements of K.C.C. 11.04.060 C.1.~~
37 ~~through 5))~~ this title.

38 ~~((E. SPECIAL HOBBY KENNEL LICENSE~~

39 1. ~~Persons owning a total number of dogs and cats exceeding three, who do not~~
40 ~~meet the requirements for a hobby kennel license, may be eligible for a special hobby~~
41 ~~kennel license to be issued at no cost by the animal control authority which will allow~~

1 them to retain the specific animals then in their possession; provided that the following
2 conditions are met:

3 a. The applicant must apply for the special hobby kennel license and individual
4 licenses for each dog and cat within 30 days of the enactment of Ordinance 10423, or at
5 the time they are contacted by an Animal Control Officer, King County License
6 Inspector, or King County Pet License Canvasser.

7 b. The applicant is keeping the dogs and cats for the enjoyment of the species,
8 and not as a commercial enterprise

9 2. The special hobby kennel license shall only be valid for those specific dogs
10 and cats in the possession of the applicant at the time of issuance, and is intended to allow
11 pet owners to possess animals beyond the limits imposed by Title 21 of the K.C.C. until
12 such time as the death or transfer of such animals reduces the number possessed to the
13 legal limit set forth in Title 21A of the K.C.C.

14 3. The director of animal control may deny any application for a special hobby
15 kennel license based on past Animal Control Code violations by the applicant's dogs and
16 cats, or complaints from neighbors regarding the applicant's dogs and cats; or if the
17 animal(s) is maintained in inhumane conditions.))

18 SECTION 6. Ordinance 1396, Art. II Section 6, as amended, and K.C.C.
19 11.04.080 are each hereby each amended to read as follows:

20 **Animal shelters, catteries, grooming services, kennels, hobby kennels, private**
21 **animal placements and pet shops – ((I))inspection.**

22 A. ((INSPECTION. It shall be the duty of t))The director ((or his agent)) of the
23 Seattle-King County department of public health or the director's agent or the animal
24 control authority ((t)) shall make or cause to be made such inspections as ((may)) might
25 be necessary to ((insure)) ensure compliance with ((Sections 11.04.090, 11.04.100 and
26 11.04.110)) this chapter. The owner or ((keeper)) operator of an animal shelter, kennel,
27 cattery, hobby kennel, private animal placement facility, grooming service or pet shop
28 shall admit to the premises, for the purpose of making an inspection, an((y)) officer,
29 agent or employee of the Seattle-King County department of public health or animal
30 control authority at any reasonable time that admission is requested.

31 B. ((UNSANITARY CONDITIONS UNLAWFUL. It is unlawful to keep)) A
32 person shall not operate, use or maintain within King County an((y)) animal shelter,
33 kennel, cattery, hobby kennel, private animal placement facility, grooming service or pet
34 shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to either, or
35 both, the public health and((t)) safety, or animal health and safety, and not in
36 compliance with ((Sections 11.04.070, 11.04.090, 11.04.100 and 11.04.110 and)) this
37 chapter. Operation, use or maintenance under those conditions may be cause for
38 revocation or denial of ((such)) the license.

39 SECTION 7. Ordinance 1396, Art. II Section 7, as amended, and K.C.C.
40 11.04.090 are each hereby amended to read as follows:

41 **Animal shelters, kennels, ((grooming services,)) catteries, grooming services**
42 **and pet shops – ((C))conditions for licensing and operation.** Animal shelters, kennels,

1 catteries, grooming services and pet shops shall ~~((meet))~~ comply with the following
2 conditions:

3 A. All animals shall be handled and maintained in a safe and humane manner;

4 B. Housing ~~((facilities))~~ structures and fencing, if applicable, shall be provided to
5 contain the animals ~~((and such))~~. The structures or fencing, or both, shall be structurally
6 sound and ~~((shall be))~~ maintained in good repair~~((;shall be designed-))~~ so as to adequately
7 protect the animals from injury ~~((;shall contain the animals; and shall restrict))~~ and
8 prevent the entrance of other animals~~((;))~~;

9 ~~((B-))~~ C. ~~((Electric p-))~~ Power shall be supplied in conformance with all applicable
10 city, county~~((;))~~ and state ~~((electrical))~~ codes ~~((adequate to))~~ and shall adequately supply
11 lighting and heating as may be required by this chapter~~((;))~~;

12 D. Water shall be supplied at sufficient pressure and quantity to clean indoor
13 housing facilities and primary enclosures of debris and excreta~~((;))~~;

14 ~~((C-))~~ E. ~~((Suitable f-))~~ Food and bedding shall be ~~((provided and))~~ stored in
15 facilities adequate to provide protection against infestation or contamination by insects,
16 vermin or rodents. Refrigeration shall be provided for ~~((the protection of))~~ all perishable
17 foods~~((;))~~;

18 ~~((D-))~~ F. ~~((Provision shall be made for the removal and disposal of a))~~ Animal and
19 food wastes, bedding, dead animals~~((;))~~ and debris ~~((.- Disposal facilities shall be~~
20 maintained in a sanitary condition, free from the infestation or contamination of insects,
21 vermin or rodents or disease, and from obnoxious or foul odors-)) shall be disposed of in
22 a lawful, safe and sanitary manner so as to control odors, disease and the infestation of
23 insects, vermin or rodents;

24 ~~((E-))~~ G. Washroom facilities~~((,- including))~~ shall be conveniently available for
25 cleaning purposes, and shall be equipped with sinks ~~((and))~~, toilets, ~~((with))~~ hot and cold
26 water~~((,- must be conveniently available for cleaning purposes-))~~ and a large sink or tub
27 ~~((provided))~~ for the purpose of washing utensils, equipment and facilities~~((;))~~;

28 ~~((F-))~~ H. Sufficient natural or artificial lighting shall be provided for the humane
29 maintenance of the animals and to permit safe, routine inspection and cleaning at any
30 time;

31 I. Interior ambient temperature shall be maintained at levels appropriate for the
32 type, breed and characteristics of the animal;

33 J. Adequate ventilation shall be maintained to ensure animal comfort by
34 providing adequate fresh air and to minimize drafts, odors and moisture condensation.
35 Mechanical ventilation shall be provided where ambient temperatures exceed seventy-
36 five degrees Fahrenheit;

37 K. Interior surfaces shall be constructed of impervious materials and maintained
38 in a manner that permits sanitizing and prevents moisture penetration. Interior walls shall
39 be constructed so that the interface with floor surfaces is sealed from the flow or
40 accumulation of moisture or debris;

1 L. All animal housing structures shall be maintained in a clean and sanitary
2 manner in order to control disease transmission, obnoxious odors and unsightly
3 appearance;

4 M. A drainage system shall be installed and maintained so as to rapidly remove
5 water and excrement from the housing facility under any temperature and weather
6 condition. The drainage system shall comply with all applicable county and state
7 regulations;

8 N. Outdoor facilities shall provide protective shading and adequate shelter areas
9 to prevent harmful exposure to weather conditions for those animals not acclimated to the
10 environment. In addition, the facilities shall be constructed to provide sufficient space
11 for the movement and comfort of each animal;

12 O. Appropriate and timely veterinary medical care shall be provided for all
13 animals;

14 P. Sick animals shall be separated from those appearing healthy and normal and,
15 if for sale, shall be removed from display and sale. Sick animals shall be kept in isolation
16 quarters with adequate ventilation to keep from contaminating ((well)) healthy
17 animals((-));

18 ~~((G-))~~ Q. There shall be an employee on duty at all times during open hours ((any
19 store is open)) whose responsibility ((shall be the)) is providing and ensuring care and
20 welfare of all ((the)) animals ((in that shop or department held for sale or display.)) on the
21 premises;

22 ~~((H-))~~ R. An employee or owner shall come in to feed, water and do the
23 necessary cleaning of animals and birds on all days the ((store or shop)) facility is
24 closed((-));

25 ~~((I. No))~~ S. A person ((, persons, association, firm or corporation shall)) may not
26 knowingly sell a sick or injured animal ((or bird-)).

27 ~~((J-))~~ T. ((No)) A person((, persons, association, firm or corporation shall)) may
28 not misrepresent an animal ((or bird)) to a consumer in any way((-); and

29 U. Animals that are caged, closely confined or restrained shall be exercised in a
30 yard or suitable exercise area for an appropriate length of time depending on their size,
31 age, characteristics and species.

32 SECTION 8. Ordinance 1396, Art. II Section 8, as amended, and K.C.C.
33 11.04.100 are each hereby repealed.

34 SECTION 9. Ordinance 1396, Art. II Section 9, as amended, and K.C.C.
35 11.04.110 are each hereby repealed.

36 SECTION 10. Ordinance 1396, Art. II Section 11, as amended, and K.C.C.
37 11.04.130 are each hereby amended to read as follows:

38 **Grooming ((parlors)) service – ((€))conditions.** Grooming ((parlors)) services
39 shall:

40 A. Not board animals, but keep ((only dogs and cats)) animals for a reasonable
41 time in order to perform the business of grooming;

1 B. Provide such restraining straps for the ~~((dog or cat))~~ animal while it is being
2 groomed so that ~~((such))~~ the animal ~~((shall))~~ will neither fall nor be hanged;

3 C. Sterilize all equipment after each ~~((dog or cat))~~ animal has been groomed;

4 D. Not leave animals unattended before a dryer;

5 E. Not prescribe treatment or medicine that is the province of a licensed
6 veterinarian as provided in RCW 18.92.010;

7 F. Not put more than one animal in each cage unless authorized by the animal
8 owner;

9 G. Construct ~~((A))~~ all floors and walls in a room~~((s))~~, pen~~((s and))~~, or cage~~((s))~~
10 used to retain animals or in an area~~((s))~~ where animals are clipped, groomed or treated
11 ~~((must be constructed))~~ of water-impervious material that can readily be cleaned~~((;))~~ and
12 ~~((must be maintained))~~ shall maintain the floors and walls in good repair;

13 H. Make ~~((H))~~ hot and cold water ~~((must be))~~ conveniently available and provide
14 a sufficiently large sink or ~~((tub provided (minimum size twenty four inches by eighteen~~
15 ~~inches by twelve inches)))~~ bathing facility to safely and comfortably bath the animal;

16 I. Make conveniently available ~~((F))~~ toilet and hand washing facilities with hot
17 and cold running water ~~((must be conveniently available))~~ for ~~((personnel employed))~~
18 employees;

19 J. Keep or store ~~((O))~~ only the equipment necessary to the operation of the
20 licensed establishment ~~((shall be kept or stored))~~ on the premises ~~((and shall only))~~. The
21 equipment shall be stored in a sanitary ~~((or))~~ and orderly manner; and

22 K. Keep in a clean and sanitary condition and disinfect after use by each animal
23 ~~((A))~~ all cages, pens~~((;))~~ or kennels used for holding animals ~~((shall be kept in a clean and~~
24 ~~sanitary condition and must be disinfected on a routine basis))~~.

25 SECTION 11. Ordinance 1396, Art. II Section 12, as amended, and K.C.C.
26 11.04.140 are each hereby amended to read as follows:

27 Animal shelters, hobby kennels, kennels, catteries, private animal
28 placements, pet shops, grooming ~~((parlors))~~ services, guard dog purveyors, guard
29 dog trainers and guard dog ~~((owners))~~ registrants – ~~((A))~~ additional conditions. The
30 director of the animal control authority ~~((is authorized to promulgate))~~ may adopt rules
31 and regulations not in conflict with this title as they pertain to the conditions and
32 operations of animal shelters, hobby kennels, kennels, catteries, private animal
33 placements, pet shops, grooming ~~((parlors))~~ services, guard dog purveyors, guard dog
34 trainers and guard dog ~~((owners))~~ registrations. ~~((Such))~~ The rules and regulations may
35 be enacted only after a public hearing has been held for ~~((such))~~ that purpose.
36 Enforcement of these rules and regulations may be appealed to the county board of
37 appeals and equalization.

38 SECTION 12. Ordinance 1396, Art. II Section 13, as amended, and K.C.C.
39 11.04.150 are each hereby amended to read as follows:

40 Licenses, registration – ~~((R))~~ revocation, suspension or refusal to issue or
41 renew. The animal control authority may, in addition to other penalties provided in this

1 title, revoke, suspend or refuse to issue or renew an(~~(y)~~) animal shelter, hobby kennel,
2 kennel, cattery, grooming (~~((parlor))~~) service, pet shop, private animal placement permit,
3 guard dog purveyor, guard dog trainer license (~~((e))~~), guard dog registration or private
4 animal placement permit upon good cause or for failure to comply with (~~(any provision~~
5 ~~of))~~) this title(~~(; provided, h))~~). However, enforcement of such a revocation, suspension or
6 refusal shall be stayed during the pendency of an appeal filed (~~((pursuant to Section))~~)
7 under K.C.C. 11.04.260.

8 SECTION 13. Ordinance 1396, Art. II Section 14, as amended, and K.C.C.
9 11.04.160 are each hereby amended to read as follows:

10 **Licenses, registration – (~~((R))~~)revocation or refusal waiting period.** (~~((N))~~) An
11 applicant shall not be issued an animal shelter, hobby kennel, kennel, cattery, grooming
12 (~~((parlor))~~) services, pet shop, guard dog purveyor, guard dog trainer license (~~((e))~~), guard
13 dog registration (~~((who))~~) or private animal placement permit if the applicant has
14 previously had (~~((such))~~) the license (~~((e))~~), registration or permit revoked or a renewal
15 refused(~~((;))~~) for (~~((a period of))~~) one year after the date of revocation or refusal and until
16 (~~((such))~~) the applicant meets the applicable requirements (~~((contained))~~) in (~~((Sections~~
17 ~~11.04.070 through 11.04.110))~~) this chapter or any other applicable provision of this title
18 to the satisfaction of the animal control authority.

19 SECTION 14. Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165
20 are each hereby amended to read as follows:

21 **Private (~~((A))~~)animal (~~((P))~~)placement (~~((P))~~)permit – (~~((I))~~)individual.**

22 A. (~~((PERMIT REQUIRED.))~~) A(~~((ny))~~) person (~~((independently))~~) engaged in the
23 fostering of four or more adult dogs (~~((and))~~) or cats (~~((who routinely possesses more dogs~~
24 ~~and cats than are))~~), or both, or whose activity of fostering causes them to exceed the
25 maximum number of small animals allowed in (~~((Title 21A))~~) K.C.C. Title 21A must
26 obtain an (~~((I))~~)individual (~~((P))~~)private (~~((A))~~)animal (~~((P))~~)placement (~~((P))~~)permit from the
27 animal control authority. Permits (~~((shall be))~~) are valid for one year from the date of
28 (~~((issuance))~~) application, and may not be transferred.

29 B. (~~((QUALIFICATIONS. In order to))~~) To qualify for an (~~((I))~~)individual
30 (~~((P))~~)private (~~((A))~~)animal (~~((P))~~)placement (~~((P))~~)permit an applicant must:

- 31 1. Maintain and care for dogs and cats in a humane and sanitary fashion in
32 compliance with (~~((the provisions of))~~) K.C.C. 11.04.090(~~((;))~~);
- 33 2. Reside where the fostering of dogs (~~((and))~~) or cats, or both, is compatible with
34 the surrounding neighborhood(~~((;))~~);
- 35 3. Agree to (~~((return stray or lost))~~) accept only owner-released animals (~~((to their~~
36 ~~owners in accordance with the requirements of K.C.C. 11.04.210 before placing such~~
37 ~~animals in an adoptive home.))~~) or animals released by the animal control authority;
- 38 4. Agree to spay(~~((/))~~) or neuter, and license, each dog or cat before placement
39 into its new home and transfer the license of each animal to its adoptive owner(~~((;))~~); and
- 40 5. Agree to coordinate (~~((their))~~) the applicant's adoption process with animal
41 control, including reporting on the disposition of each animal, and only (~~((adopting))~~)
42 adopt to owners who would qualify to adopt an animal from a King County (~~((A))~~)animal

1 ((C))control ((S))shelter based on the adoption procedures and guidelines used by the
2 animal control authority.

3 C. ~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those~~
4 ~~holding))~~ A holder of an ((I))individual ((P))private ((A))animal ((P))placement
5 ((P))permit ~~((shall be allowed to possess))~~ may foster no more than five ~~((foster))~~ animals
6 above the limit that would normally apply to their property under K.C.C. Title 21A~~((King~~
7 ~~County Code))~~.

8 A ((P))permit holder~~((s are required to))~~ shall locate an adoptive home for each dog
9 or cat within six months of acquiring the dog or cat. If, after six months, an adoptive home
10 has not been found for a dog or cat, the animal control authority ~~((will))~~ shall review the
11 situation to determine if the permit holder is complying with the ~~((requirements of the))~~
12 permit. If the director ascertains that a good faith effort is being made to locate adoptive
13 homes, a six-month extension may be granted by the director.

14 The presence of juvenile animals ~~((shall))~~ does not necessarily place a permit holder
15 over ~~((their))~~ the permit holder's limit unless the director determines that juvenile animals
16 are present in such large numbers as to place the permit holder out of compliance with the
17 ~~((requirements of the))~~ permit.

18 ~~((Holders of hobby kennel licenses shall be allowed to possess and foster five more~~
19 ~~animals than are allowed by the conditions of a hobby kennel permit.))~~

20 D. ~~((INSPECTION, DENIAL AND REVOCATION OF PERMIT.))~~ The animal
21 control authority ~~((shall have the right to))~~ may inspect the facilities of an applicant for an
22 ((I))individual ((P))private ((A))animal ((P))placement ((P))permit to determine whether
23 or not such a permit ~~((shall))~~ is to be issued. In addition, the animal control authority
24 ~~((shall have the right to))~~ may periodically inspect the facilities of holders of ((I))individual
25 ((P))private ((A))animal ((P))placement ((P))permits to ~~((insure))~~ ensure compliance with
26 this ~~((section))~~ chapter. The animal control authority ~~((shall))~~ may also ~~((have the right to))~~
27 deny or revoke permits based on any one or more of the following: a failure to meet the
28 ~~((above))~~ qualifications in this section; animal control complaints ~~((in the past, present~~
29 ~~or future))~~; ~~((and/))~~ or complaints received by animal control regarding the maintenance of
30 the animals by the ((I))individual ((P))private ((A))animal ((P))placement ((P))permit
31 ~~((by neighbors))~~ holder.

32 SECTION 15. Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167
33 are each hereby amended to read as follows:

34 **Private ((A))animal ((P))placement ((P))permit – ((O))organizational.**

35 A. ~~((PERMIT REQUIRED.))~~ An((y)) organization whose members are engaged
36 in the fostering of dogs ~~((and))~~ or cats, or both, or whose members ~~((routinely or from time~~
37 ~~to time have in their possession up to five more))~~ engaged in the activity of fostering causes
38 the members to exceed the maximum number of ~~((dogs and cats than are))~~ small animals
39 allowed in ~~((Title))~~ K.C.C. Title 21A ~~((K.C.C.))~~, must obtain an ~~((O))~~organizational
40 ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit~~((s))~~ from the animal control authority
41 for each ~~((of those))~~ member~~((s))~~ of the organization. An ~~((O))~~organization~~((s))~~ may
42 purchase up to ~~((5 Permits, or up to 20))~~ twenty ~~((P))~~permits per year~~((– Provided, however,~~
43 ~~that)), but~~ the director ~~((has the authority to))~~ may issue more than ~~((20))~~ twenty

1 ((P))permits to an organization((;)) when to do so would further the goals of the animal
2 control section and be in the public interest. Permits ((shall be)) are valid for one year from
3 the date of issuance((;)) and may be transferred between members of the organization.

4 B. ~~((QUALIFICATIONS.—In order to))~~To qualify to distribute ((Θ))organizational
5 ((P))private ((A))animal ((P))placement ((P))permits to its members an organization
6 ((must)) shall:

7 1. Be of a reputable nature((;)) and engaged in the fostering of animals solely for
8 the benefit of the animals involved, and not as a commercial enterprise((-));

9 2. Agree to furnish animal control with the names, addresses and phone numbers
10 of each of the holders of its permits((;)), including immediately furnishing this information
11 when a transfer takes place((-)); and

12 3. Agree that to the best of ((their)) its ability ((they shall)) it will only issue
13 permits to individuals who will comply with the requirements of K.C.C. 11.04.165 B((;

14 a. ~~Maintain and care for dogs and cats in a humane and sanitary fashion in~~
15 ~~compliance with the provisions of K.C.C. 11.04.090.~~

16 b. ~~Reside where the fostering of dogs and cats is compatible with the~~
17 ~~surrounding neighborhood.~~

18 c. ~~Agree to return stray or lost animals to their owners in accordance with the~~
19 ~~requirements of K.C.C. 11.04.210 before placing such animals in an adoptive home.~~

20 d. ~~Spay/ neuter and license each dog or cat and transfer the license of each~~
21 ~~animal to its adoptive owner.~~

22 e. ~~Coordinate their adoption process with animal control, including reporting on~~
23 ~~the disposition of each animal, and only adopting to owners who would qualify to adopt an~~
24 ~~animal from a King County Animal Control Shelter based on the adoption procedures and~~
25 ~~guidelines used by the animal control authority)).~~

26 C. ~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those~~
27 ~~holding)) A holder of an ((Θ))organizational ((P))private ((A))animal ((P))placement~~
28 ~~((P))permit ((shall be allowed to)) may foster ((up to)) no more than five ((more dogs or~~
29 ~~eats)) animals above the limit that would normally apply to their property under K.C.C.~~
30 ~~Title 21A ((King County Code. Holders of hobby kennel licenses shall be allowed to foster~~
31 ~~five more animals than are allowed by conditions of a hobby kennel permit)).~~

32 A ((P))permit holder((s are required to locate an adoptive home for each dog or cat
33 within six months of acquiring the dog or cat. If, after six months, an adoptive home has
34 not been found for a dog or cat, the animal control authority will review the situation to
35 determine if the permit holder is complying with the requirements of the permit. If the
36 director ascertains that a good faith effort is being made to locate adoptive homes, a six-
37 month extension may be granted.

38 The presence of juvenile animals shall not necessarily place a permit holder over
39 the limit of five foster animals beyond the limit that would normally apply to their property
40 under K.C.C. 21A.30.020 unless the director determines that juvenile animals are present in
41 such large numbers as to place the permit holder out of compliance with the requirements
42 of the permit)) shall comply with K.C.C. 11.04.165C.

1 D. ~~((INSPECTION, DENIAL AND REVOCATION OF PERMIT.))~~ The animal
2 control authority ~~((shall have the right to))~~ may inspect the facilities of an applicant for an
3 ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit to determine
4 whether or not such a permit ~~((shall))~~ is to be issued. In addition, the animal control
5 authority ~~((shall have the right to))~~ may periodically inspect the facilities of holders of
6 ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permits to ~~((insure))~~
7 ensure compliance with this ~~((Section))~~ chapter, and to determine whether or not the
8 organization as a whole will be allowed to continue fostering dogs and cats. The animal
9 control authority ~~((shall also have the right to))~~ may also deny or revoke permits based on
10 any combination of one or more of the following: a failure to meet the ~~((above))~~
11 qualifications in this section; animal control complaints ~~((Θ))~~ in the past~~((, present or future))~~;
12 ~~((and/))~~or complaints received by animal control regarding the maintenance of
13 animals by the individual private placement permit holder as issued by the
14 ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit ~~((by neighbors))~~
15 holder.

16 NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 11.04
17 a new section to read as follows:

18 **Violations - infraction.** A violation of any provision of this chapter, except for a
19 violation noted as a misdemeanor under K.C.C. 11.04.190, is an infraction. A person cited
20 for an infraction is subject to the justice court rules of procedures. A person found guilty of
21 committing an infraction shall be assessed a monetary penalty not to exceed one thousand
22 dollars. A finding that an infraction has been committed shall not give rise to any other
23 legal disability which is based upon conviction of a crime.

24 SECTION 17. Ordinance 1396, Art. III Section 3, and K.C.C. 11.04.190 are each
25 hereby amended to read as follows:

26 **Violations – ~~((M))~~misdemeanor – ~~((P))~~enalty.** A~~((ny))~~ person who allows an
27 animal to be maintained in violation of ~~((this chapter))~~ K.C.C. 11.04.240, 11.04.250 or
28 11.04.290 is guilty of a misdemeanor punishable either by a fine of not more than ~~((two~~
29 ~~hundred fifty))~~ one thousand dollars ~~((and/))~~or by imprisonment in the county jail for ~~((a~~
30 ~~term))~~ not ~~((to exceed))~~ more than ninety days, or by both.

31 SECTION 18. Ordinance 1396, Art. III Section 5, as amended, and K.C.C.
32 11.04.210 are each hereby amended to read as follows:

33 **Impounding.**

34 A. The director of the animal control authority and ~~((his))~~ the director's authorized
35 representatives may apprehend an~~((y))~~ animal~~((s))~~ found doing an~~((y of the))~~ act~~((s))~~
36 defined as a public nuisance ~~((and/))~~ or being subjected to cruel treatment as defined by
37 law, or both. After such an animal~~((s are))~~ is apprehended, the animal control authority
38 shall ascertain whether ~~((they are))~~ the animal is licensed~~((s))~~ or otherwise identifiable. If
39 reasonably possible, the animal control authority shall return the animal to the owner
40 together with a notice of violation of this chapter. If it is not reasonably possible to
41 immediately return a currently licensed animal to its owner, the animal control authority
42 shall notify the owner within a reasonable time by regular mail or telephone that the animal
43 has been impounded and may be redeemed. A~~((ny))~~ currently licensed animal impounded

1 ~~((pursuant to))~~ in accordance with this chapter shall be held for the owner at least one
2 hundred twenty hours, after telephone contact by the impounding agency, or for at least
3 two weeks after posting of the notification of impoundment by regular mail; any other
4 animal impounded ~~((pursuant to))~~ in accordance with this chapter shall be held for its
5 owner at least seventy-two hours from the time of impoundment. ~~((The county shall not
6 sell any animals to research institutes or licensed dealers for research purposes.))~~ An((y))
7 animal suffering from serious injury or disease may be humanely destroyed~~((;))~~ or, in the
8 discretion of the impounding authority, may be held for a longer period and redeemed by
9 any person on payment of charges not exceeding those prescribed ~~((herein))~~ in this chapter.

10 B. An((y)) animal not redeemed shall be treated in one of the following ways:

11 1. Made available for adoption at a fee ~~((of \$7.50 per animal))~~ as provided in
12 K.C.C. 11.04.035.

13 a. A~~((ny))~~ person may adopt an animal impounded ~~((pursuant to the provisions
14 contained in))~~ in accordance with this chapter ~~((when all billable costs, redemption fees,
15 penalties, and boarding costs incurred in such impoundment are made payable to the
16 county finance director, which may be accepted by the animal control authority acting as
17 agent for the county. As provided in K.C.C. 11.04.035,))~~. ~~((a))~~ All dogs and cats over the
18 age of six months adopted from the King County animal shelter shall be spayed or neutered
19 prior to adoption. A spay~~((f))~~ or neuter deposit shall be charged for dogs and cats under the
20 age of six months which are too young to be spayed~~((f))~~ or neutered ~~((prior to))~~ before
21 adoption. This deposit ~~((will))~~ shall be returned to the adopting person upon submission of
22 proof that the sterilization was performed within six months from the date of adoption.
23 Failure to spay~~((f))~~ or neuter such a dog or cat is a violation of this chapter and a breach of
24 the adoption contract and ~~((will))~~ shall result in the forfeiture of the adoption and return of
25 the dog or cat to King County animal control for the required spaying~~((f))~~ or neutering.

26 b. The director ~~((shall have the authority to))~~ may set administrative rules
27 regarding the adoption of animals from King County shelters~~((;))~~ or

28 2. Humanely destroyed by euthanasia.

29 C. The county shall not sell an((y)) animal~~((s for the purposes of medical
30 research))~~ to a~~((ny))~~ research institute or any other purchaser~~((s))~~ for the purposes of
31 medical research.

32 D. An((y)) unaltered dog or cat impounded more than once in a twenty-four-month
33 period shall be spayed or neutered by either the animal control authority ~~((prior to))~~ before
34 the release of the dog or cat~~((;))~~ or, at the request of the owner, by ~~((the owner of the dog
35 or cat, provided))~~ a licensed veterinarian of the owner's choosing, if the owner agrees to
36 pay a cash deposit of ~~((250))~~ two hundred fifty dollars and provides proof of ~~((neutering
37 or spaying))~~ spay or neuter on a form provided by the county. ~~((In order f))~~ For the
38 deposit to be refunded to the owner, the form must be certified by a licensed veterinarian
39 and returned to the animal control authority within five business days of release of the
40 dog or cat to the owner. If proof of ~~((neutering or spaying))~~ spay or neuter is not
41 provided within five days, the animal control authority ~~((will have the right to))~~ may
42 again impound the dog or cat to ensure that it is spayed or neutered. If the dog or cat is
43 spayed or neutered by the animal control authority, one hundred dollars shall be assessed

1 to cover the cost of the spay or neuter (~~shall be charged to the owner upon redemption~~
2 ~~but shall be deducted from the impound/redemption fees otherwise required under this~~
3 ~~chapter~~)).

4 SECTION 19. Ordinance 6370, Section 11, and K.C.C. 11.04.320 are each
5 hereby repealed.

6 SECTION 20. Ordinance 10423, Section 6, and K.C.C. 11.04.500 are each
7 hereby repealed.

8 SECTION 21. Ordinance 10423, Section 19, and K.C.C. 11.04.520 are each
9 hereby amended to read as follows:

10 **Rabies vaccination required.** All dogs and cats (~~(six)~~) four months of age or older
11 shall be vaccinated against rabies. All vaccinations shall be performed in accordance with
12 the standards contained in the Compendium of Animal Rabies Control as amended,
13 published by the National Association of State Public Health Veterinarians, Inc.

14 SECTION 22. Ordinance 10423, Section 20, and K.C.C. 11.04.530 are each
15 hereby repealed.

16 SECTION 23. Ordinance 10870, Section 530, as amended, and K.C.C.
17 21A.30.020 are each hereby amended to read as follows:

18 **Animal regulations – ((S))small animals.** The raising, keeping, breeding or fee
19 boarding of small animals are subject to K.C.C. chapter 11.04, Animal Control
20 Regulations, and the following requirements:

21 A. Small animals (~~(which)~~) that are kept indoors as household pets in aquariums,
22 terrariums, cages or similar containers shall not be limited in number, except as (~~(may~~
23 ~~be)~~) provided in K.C.C. Title 11. Other small animals, excluding cats kept indoors as
24 household pets, shall be limited to five(~~(, of which not more than three may be unaltered~~
25 ~~eats or dogs)~~). Cats kept indoors as household pets shall not be limited in numbers. For
26 the purposes of this subsection, "cats kept indoors as household pets" means that all cats
27 are kept strictly indoors and are not allowed outdoors at any time. Cats harbored, kept or
28 maintained exclusively indoors are subject to all other provisions of K.C.C. Title 11.

29 B. Other small animals kept outside, including adult cats and dogs, shall be
30 limited to three per household on lots of less than (~~(20,000)~~) twenty thousand square feet,
31 five per household on lots of (~~(20,000)~~) twenty thousand to (~~(35,000)~~) thirty-five
32 thousand square feet, with an additional (~~(2)~~) two per acre of site area over (~~(35,000)~~)
33 thirty-five thousand square feet up to a maximum of (~~(20)~~) twenty, (~~(unless)~~) except as
34 follows:

35 1. (~~((m))~~)More are allowed as an accessory use (~~((pursuant to paragraph))~~) under
36 subsection E.((, provided that all unaltered animals kept outdoors must be kept on a leash
37 or in a confined area, except as authorized for a hobby kennel or cattery or commercial
38 kennel or cattery pursuant to)) of this section; or

39 2. More are allowed under K.C.C. chapter 11.04.

40 C. (~~((Excluding kennels and catteries, t))~~)The total number of unaltered adult cats
41 and((f))or dogs, or both, per household shall not exceed three, except as authorized under

1 K.C.C. chapter 11.04, but all unaltered animals kept outdoors must be kept on a leash or
2 in a confined area.

3 D. Animals considered to be household pets shall be treated as other small
4 animals ~~((pursuant to))~~ in accordance with K.C.C. 21A.30.020E when they are kept for
5 commercial breeding, boarding or training.

6 E. Small animals and household pets kept as an accessory use outside the
7 dwelling, shall be raised, kept or bred only as an accessory use on the premises of the
8 owner, or in a kennel or cattery, subject to the following limitations:

9 1. Birds shall be kept in an aviary or loft that meets the following standards:

10 a. The aviary or loft shall provide ~~((1/2))~~ one-half square foot for each
11 parakeet, canary or similarly sized birds, ~~((1))~~ one square foot for each pigeon, small
12 parrot or similarly sized bird~~((;))~~ and ~~((2))~~ two square feet for each large parrot, macaw or
13 similarly sized bird~~((;))~~;

14 b. Aviaries or lofts shall not exceed ~~((2,000))~~ two thousand square feet,
15 ~~((provided))~~ but this limit shall not apply in rural, forestry~~((;))~~ or agricultural zones~~((;))~~;
16 and

17 c. The aviary is set back at least ~~((10))~~ ten feet from any property line~~((;))~~ and
18 ~~((20))~~ twenty feet from any dwelling unit~~((;))~~;

19 2. Small animals other than birds shall be kept according to the following
20 standards:

21 a. The minimum site area shall be one-half acre if more than ~~((3))~~ three small
22 animals are being kept~~((;))~~;

23 b. All animals shall be confined within a building, pen, aviary or similar
24 structure~~((;))~~;

25 c. A~~((ny))~~ covered structure used to house or contain such animals shall
26 maintain a distance of not less than ~~((10))~~ ten feet to any property line, except structures
27 used to house mink and fox shall be a distance of not less than ~~((150))~~ one hundred fifty
28 feet~~((;))~~;

29 d. Poultry, chicken, squab~~((;))~~ and rabbits are limited to a maximum of one
30 animal per one square foot of structure used to house such animals, up to a maximum of
31 ~~((2000))~~ two thousand square feet~~((; provided that))~~, but this maximum structure size
32 limit shall not apply in rural, forestry~~((;))~~ or agricultural zones~~((;))~~;

33 e. Hamsters, nutria and chinchilla are limited to a maximum of one animal per
34 square foot of structure used to house such animals, up to a maximum of ~~((2000))~~ two
35 thousand square feet~~((; provided that))~~, but this maximum structure size limit shall not
36 apply in rural, forestry~~((;))~~ or agricultural zones~~((;))~~;

37 f. Mink and fox are permitted only on sites having a minimum area of five
38 acres~~((;))~~;

39 g. Beekeeping is limited as follows:

40 (1) Beehives are limited to ~~((50))~~ on sites less than five acres;

(2) The number of beehives shall not be limited on sites of five acres or greater;

(3) Colonies shall be maintained in movable-frame hives at all times;

(4) Adequate space shall be provided in each hive to prevent overcrowding and swarming;

(5) Colonies shall be requeened following any swarming or aggressive behavior;

(6) All colonies shall be registered with the ~~((€))~~county ~~((€))~~extension agent ~~((prior to))~~ before April 1~~((st))~~ of each year, on a state registration form acceptable to the county; and

(7) Abandoned colonies, diseased bees, or bees living in trees, buildings~~((;))~~ or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated ~~((as set forth))~~ in accordance with K.C.C. chapter 21A.50, Enforcement;

3. Kennels and catteries are subject to K.C.C. chapter 11.04 and the following requirements:

a. For kennels located on residential zoned sites, except for those kennels located on sites within the Agriculture Zone:

(1) The minimum site area shall be five acres; and

(2) Structures housing animals and outdoor animal runs shall be a minimum distance of ~~((100))~~ one hundred feet from property lines abutting residential zones;

b. For kennels located on non~~((-))~~residential zoned sites~~((;))~~:

(1) ~~((#))~~Run areas shall be completely surrounded by an eight foot solid wall or fence~~((, and be subject to the requirements in K.C.C. 11.04.060))~~; and

(2) Structures housing animals and outdoor animal runs shall be a minimum distance of one hundred feet from property lines abutting residential zones;

c. Catteries shall be on sites of ~~((35,000))~~ thirty-five thousand square feet or more, and buildings used to house cats shall be a minimum distance of ~~((50))~~ fifty feet from property lines abutting residential zones; and

d. Kennels and catteries located in the agriculture zone shall be subject to additional provisions in K.C.C. 21A.08.050.

Attachments:

A. Proposed Animal Control Ordinance Amendments Overview

B. Maximum Number of Pets Allowed Per Lot Size Chart